

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29162 of 2026

Arising Out of PS. Case No.-69 Year-2026 Thana- NAANPUR District- Sitamarhi

1. Bhartendu Kumar, S/o-Sitasharan Ray, R/o Ward No. 07, Gaura, P.S Nanpur, District - Sitamarhi.
2. Vikash Kumar, S/o-Sanjay Thakur, R/o- Ward No. 07, Gaura. P.S-Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md Danish Quamar, Advocate Ms. Madiha Moneer, Advocate
For the Opposite Party/s	:	Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Nanpur P.S. Case No. 69 of 2026 dated 03.03.2026, instituted for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. The allegation is of recovery of 10.620 litres foreign liquor kept near the house of petitioner no. 1.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that petitioners have no concern with the seized illicit liquor. It is next submitted that nothing has



been recovered either from the conscious possession or from the house of the petitioners. Learned counsel further submitted that the alleged liquor was recovered from outside of the house of petitioner no. 1, which is an open place and accessible to all. Lastly, it has been submitted that petitioner no. 1 has four criminal cases against him whereas, petitioner no. 2 has one criminal case against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Nanpur P.S. Case No. 69 of 2026, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.-II, Sitamarhi, subject to condition as laid down under Section 482(2) of the B.N.S.S as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner within two weeks of his release from custody shall appear before the S.H.O. of his local area alongwith a copy of this order and shall appear every fortnightly to mark his attendance till the framing of charge in this case.

(Khatim Reza, J)

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